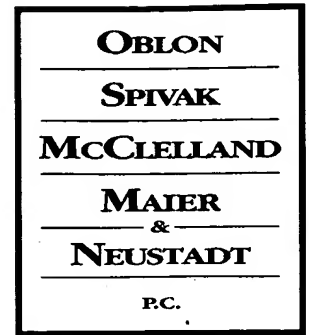




Docket No.: 246309US90

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/729,983
Applicants: Hiroyuki NAGASAWA
Filing Date: December 9, 2003
For: SEMICONDUCTOR AND SEMICONDUCTOR
SUBSTRATE, METHOD OF MANUFACTURING
THE SAME, AND SEMICONDUCTOR DEVICE
Group Art Unit: 2826
Examiner: ANDUJAR, LEONARDO

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTON REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Masayasu Mori

Registration No. 47,301

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

DOCKET NO: 246309US90



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROYUKI NAGASAWA : EXAMINER: ANDUJAR, LEONARDO
SERIAL NO: 10/729,983 :
FILED: DECEMBER 9, 2003 : GROUP ART UNIT: 2826
FOR: SEMICONDUCTOR AND :
SEMICONDUCTOR SUBSTRATE,
METHOD OF MANUFACTURING THE
SAME, AND SEMICONDUCTOR DEVICE

RESPONSE TO RESTRICTON REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated December 8, 2005, applicant provisionally elects Group (Invention) I, Claims 1-15 and 19-25, drawn to a semiconductor device, classified in class 257, subclass 617.

Applicant respectfully traverses the outstanding Restriction Requirement. The Restriction Requirement asserts that the application contains claim to patentably distinct inventions. However, MPEP § 803 states the following:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct of independent inventions.

The Claims of the present application would appear to be part of an overlapping search area. Applicant therefore respectfully submits that there is no undue burden on the Examiner to search all the claims under MPEP § 803, and traverses the Restriction

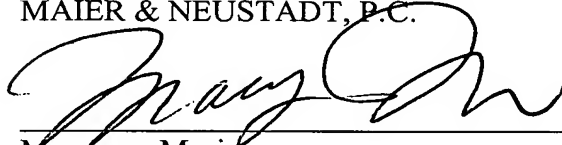
Application No. 10/729,983
Reply to Office Action of

Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-25 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Masayasu Mori', is written over a horizontal line.

Masayasu Mori
Attorney of Record
Registration No. 47,301

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

MM/SR